

### **Submission of Replacement Formal Drawing**

A replacement formal drawing sheet is submitted herewith in order to amend Fig. 6 to provide reference numerals to clearly indicate the upwardly-extending portions 20a, 20b and the radial-extending portions 21a, 21b of the engagement pawls 18a, 18b.

Approval and entry of this replacement formal drawing sheet are respectfully requested.

### **REMARKS**

By this amendment, claims 1-7, 10 and 11 have been cancelled, claim 8 has been amended, and claims 14 and 15 have been added. Thus, claims 8, 9 and 12-15 are now active in the application. Reexamination and reconsideration of the application are respectfully requested.

In items 3 and 4 on pages 2-5 of the Office Action, claims 8, 12 and 13 were rejected under 35 U.S.C. 103(a) as being unpatentable over Marsilio et al. (U.S. 2002/0170838) in view of Lopez Mas (D 470,707) and Wong (U.S. 6,085,900); and claim 9 was rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Marsilio, Lopez Mas, and Wong and further in view of Flores, Jr. et al. (U.S. 2003/0015443). This rejection is believed moot in view of the amendments presented above to claim 8. It is thus respectfully submitted that these rejections are clearly inapplicable to the present claims 8, 9 and 12-15, for the following reasons.

With exemplary reference to Figs. 5-8(b), claim 8 sets forth a cover case for accommodating a disk-like recording medium 12, the cover case comprising: a main body 1 having a base surface 4 (as numbered in Fig. 1), a receiving table 5 protruding from the base surface 4, and an outer peripheral edge 6 protruding from the base surface 4 and extending about the receiving table 5; and a cover 2 connected to the main body by a connection portion 3; wherein the receiving table 5 has a support surface 13 arranged to support a center portion of the disk-like recording medium 12; wherein a pair of slit grooves 16 define therebetween a pair of deflectable arms 15a, 15b having distal ends (inner ends in Fig. 6) disposed adjacent each other across a gap (as shown in Figs. 6-8(b)) at a center of the support surface 13 of the receiving table 5, and base ends (outer ends in Fig. 6) opposite each other; wherein the base ends of the arms 15a, 15b are disposed between respective ends of the slit grooves 16, and the distal ends (inner ends) of the arms are disposed between respective central portions of the slit grooves 16; wherein engagement protuberances 17a, 17b are provided at respective distal ends of the arms 15a, 15b and protrude therefrom, each of the engagement protuberances 17a, 17b having a substantially semi-circular shape, and the engagement protuberances 17a, 17b together constitute an engagement member arranged to engage in a center hole of the disk-like recording medium 12;

wherein together the engagement protuberances 17a, 17b form, across the gap between the distal ends of the arms 15a, 15b, a substantially circular shape to be received in the center hole of the disk-like recording medium 12; wherein a flexible resin (unnumbered but shown in Figs 6-8(b)) connects between the engagement protuberances 17a, 17b across the gap, so as to allow the engagement member to undergo shrinkage; wherein engagement pawls 18a, 18b are formed at laterally central portions of the arms 15a, 15b, respectively; wherein the engagement pawls 18a, 18b are arranged to undergo deflection independently of the arms 15a, 15b, respectively; wherein the engagement pawls 18a, 18b include upwardly-extending portions 20a, 20b that are formed as cut-off portions of the engagement protuberances 17a, 17b such that the upwardly-extending portions 20a, 20b together with the engagement protuberances 18a, 18b, form the substantially circular shape; and wherein the engagement pawls 18a, 18b further include radially-extending portions 21a, 21b that respectively extend from the upwardly-extending portions 20a, 20b in radially outward directions toward the base ends of the arms 15a, 15b, respectively, such that the engagement pawls 18a, 18b are generally L-shaped in cross section (see Figs. 6-8(b)).

Thus, claim 8 has now been amended to more specifically set forth the structure of the engagement pawls 18a, 18b by reciting that the engagement pawls 18a, 18b are formed at laterally central portions of the arms 15a, 15b, respectively and that each of the engagement pawls 18a, 18b includes an upwardly-extending portion 20a, 20b as well as a radially-extending portion 21, 21b that extends from the upwardly-extending portion 20a, 20b in a radially-outward direction toward the base end of the arm 15a, 15b such that the engagement pawls 18a, 18b are generally L-shaped in cross section.

It is noted that Fig. 6 has been amended (by submission herewith of a replacement formal drawing sheet containing Fig. 6) in order to provide reference numerals to clearly indicate the upwardly-extending portions 20a, 20b and the radial-extending portions 21a, 21b of the engagement pawls 18a, 18b. Also, the substitute specification filed April 11, 2005 has been revised (at paragraph [0022] on page 10 thereof) in order to provide descriptive support for these added reference numerals. No new matter has been added.

In contrast to the present invention now recited in claim 8, and as recognized by the Examiner, neither of the Marsilio et al. and Lopez Mas reference discloses engagement pawls such as those recited in claim 8. In the January 4, 2006 Office Action, the Examiner thus cited the Wong patent for disclosing "upwardly extending engagement pawls 28 cut-off from the engagement protuberance 26 by means of slot 29 and are used to secure the retained disk against vertical movement (col. 4, lines 33-40)."

However, although applicants respectfully traverse the rejection and the Examiner's position taken in items 6 and 7 on pages 5 and 6 of the Office Action, claim 8 has been amended to clearly distinguish the present invention over the cited prior art.

In this regard, the disclosed engagement pawls 28 of the Wong patent are clearly not formed at laterally central portions of arms and so as to be independently deflectable with respect to the arms, and the engagement pawls 28 of Wong do not include upwardly-extending portions cut-off from engagement pawls, as well as radially-extending portions extending from the upwardly-extending portions in radially outward directions toward base ends of the arms, respectively, as required by claim 8.

These now particularly-recited features of engagement pawls of the present invention facilitate vertical deflecting motion of the engagement pawl, in addition to lateral deflecting motion thereof, which helps to achieve the object of the present invention in cooperation with the engagement protuberances. None of the Marsilio et al., Lopez Mas, and Wong references discloses or suggests the type of engagement pawls now specifically required by claim 8.

The Examiner also cited the Flores, Jr. et al. reference for disclosing "a cut-off portion (see Figure 6) and fall-off prevention pawl 140 used to secure the disk in the storage area (see paragraph [0054])." However, this disclosure of the Flores, Jr. et al. reference clearly provides no teaching or suggestion that would have obviated the above-described shortcomings of the Marsilio, Lopez Mas and Wong references.

Thus, the distinctions described above are clearly such that there is no teaching or suggestion in the Wong reference that would have motivated a person of ordinary skill in the art

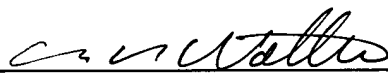
to modify the Marsilio et al. reference or a combination of Marsilio and Lopez Mas, or to make any combination of the references of record, in such a manner as to result in or otherwise render obvious the present invention as now recited in claim 8. Therefore, it is respectfully submitted that claim 8, as well as claims 9 and 12-15 which depend therefrom, are clearly allowable over the prior art of record.

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice thereof is earnestly solicited.

If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, it is respectfully requested that the Examiner contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

Masanao YAMAGISHI et al.

By:   
Charles R. Watts  
Registration No. 33,142  
Attorney for Applicants

CRW/asd  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
April 4, 2006